

## UNITED STATES DISTRICT COURT

for the

Western District of Virginia

MAY 29 2015

JULIA C. DUDUEY, CLERK  
BY: *M. Hipp*  
DEPUTY CLERK

United States of America )  
 v. )  
 DARIUS KIOWA PERKINS ) Case No: 4:96CR30029-001  
 Date of Previous Judgment: 01/31/1997 ) USM No: 06246-084  
 (Use Date of Last Amended Judgment if Applicable) ) Defendant's Attorney

**Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)**

Upon motion of  the defendant  the Director of the Bureau of Prisons  the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

**IT IS ORDERED** that the motion is:

DENIED.  GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 420 months months is reduced to 322 months\*.

**I. COURT DETERMINATION OF GUIDELINE RANGE** (Prior to Any Departures)

Previous Offense Level:	<u>42</u>	Amended Offense Level:	<u>36</u>
Criminal History Category:	<u>IV</u>	Criminal History Category:	<u>IV</u>
Previous Guideline Range:	<u>360</u> to <u>life</u> months	Amended Guideline Range:	<u>262</u> to <u>327</u> months

**II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE**

The reduced sentence is within the amended guideline range.

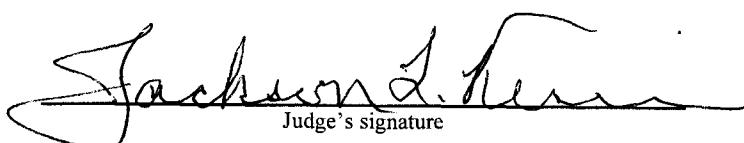
The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.

Other (explain):

**III. ADDITIONAL COMMENTS**

Defendant is sentenced to 322 months, but not less than time served. Defendant's sentence consists of 262 months on Count 1 and 60 months on Count 12, to be served consecutively.

Except as provided above, all provisions of the judgment dated 01/31/1997 shall remain in effect.

**IT IS SO ORDERED.**Order Date: 5/29/2015

 A handwritten signature in black ink, appearing to read "Jackson L. Kiser", is written over a stylized, swooping line. Below the signature, the text "Judge's signature" is printed.
Effective Date: 11/01/2015  
(if different from order date)

Hon. Jackson L. Kiser, Senior U.S. District Judge

Printed name and title